



Order Filed on April 20, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY (NEWARK)

Caption in Compliance with D.N.J. LBR 9004-1(b)

RAS Citron, LLC

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Attorneys for Secured Creditor

Shauna Deluca, Esq. (SD-8248)

In Re:

Kim Y. Worthington,

Debtor.

Case No.: 18-28670-JKS

Chapter: 13

Hearing Date: March 12, 2020

Judge: John K. Sherwood

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: April 20, 2020

A handwritten signature in black ink, appearing to read "J K Sherwood", written over a horizontal line.

Honorable John K. Sherwood
United States Bankruptcy Court

Page 2

Secured Creditor: HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FOR SG MORTGAGE SECURITIES TRUST 2006-OPT2, ASSET BACKED CERTIFICATES, SERIES 2006-OPT2

Secured Creditor's Counsel: RAS Citron, LLC

Debtor's Counsel: Kevin Delyon, Esq.

Property Involved ("Collateral"): 290 Conklin Avenue, Hillside, NJ 07205-1447

Relief sought: ■ Motion for relief from the automatic stay

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages as of March 10, 2020:
 - The Debtor is overdue for 4 months from 12/01/2019 through 03/01/2020
 - The Debtor is overdue for 3 payments at \$ 1,829.18 per month
 - The Debtor is overdue for 1 payment at \$ 1,828.93 per month

Funds Held In Suspense \$1,743.66

Total Arrearages Due \$5,572.81
2. Debtor must cure all post-petition arrearages, as follows:
 - The amount of \$5,572.81 shall be capitalized into the Debtor's Chapter 13 plan. Debtor must file a Modified Plan within fifteen (15) days of the entry of this Order. The Debtor's monthly payment to the Chapter 13 Trustee will be modified to an amount necessary to appropriately fund the plan in accordance with this Order.
 - Regular post-petition mortgage payments in the amount of \$1,828.93 will commence on April 1, 2020. This amount is subject to change based on escrow and/or interest rate adjustments.
3. Payments to the Secured Creditor shall be made to the following address(es):
 - Regular monthly payment: PHH Mortgage Services
Mailstop SBRP
PO Box 5469
Mt. Laurel, NJ 08054

Page 3

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

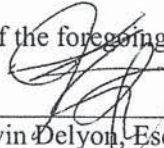
■ The Applicant is awarded attorney fees of \$350.00 and costs of \$181.00.

The fees and costs are payable:

■ Through the Chapter 13 plan.

The undersigned hereby consent to the form and entry of the foregoing order.

/s/ Shauna Deluca
Shauna Deluca, Esq.
Attorney for Secured Creditor
Date: March 11, 2020



Kevin Delyon, Esq.
Attorney for Debtor
Date: 4/16/20